

ORDERED.

Dated: March 10, 2017



K. Rodney May
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
www.flmb.uscourts.gov

Marguerite L. Dittman

Case No. 8:14-bk-02530-KRM
CHAPTER 13

Debtor(s)¹

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**ORDER DISMISSING CONFIRMED CHAPTER 13
CASE FOR FAILURE TO MAKE PLAN PAYMENTS**
(THIS ORDER IS EFFECTIVE ON THE 15TH DAY FOLLOWING DATE OF ENTRY)

THIS CASE came on for consideration for the purpose of entering an appropriate order in this case. The Court, having reviewed the record, finds that an Order on Trustee's Motion to Dismiss for Failure to Make Payments to the Trustee and Granting Period to Cure Default was entered on March 3, 2016 (Doc #42), for reason of the Debtor's delinquency in payments to the Trustee. The Court has been advised that the Debtor failed to comply with said Order. Therefore, it is,

ORDERED:

1. This case is DISMISSED without prejudice.
2. Notwithstanding any court order to the contrary, the Trustee shall disburse all funds on hand to the Debtor, in care of the Debtor's attorney, where represented by an attorney,

¹ All references to "Debtor" include and refer to both of the Debtors in a case filed jointly by two individuals.

and shall thereafter file her final report and upon filing as same, shall be discharged of her duties as Trustee.

3. The debtor may convert this case to a case under another chapter of the Bankruptcy Code within 14 days of the date of this Order. If the case is not converted within 14 days, the case is dismissed effective on the 15th day after the date of entry of this Order.

4. The Debtor, the Trustee, or any party in interest, may, within 14 days from the date of this Order, request the Court to examine the fees paid to the Debtor's attorney and request disgorgement of any portion deemed excessive. The Court shall retain jurisdiction for this purpose.

5. If the automatic stay imposed by 11 U.S.C. § 362(a) or § 1301 is in effect at the time this Order is entered, the stay is extended 14 days from the date of this Order, notwithstanding the provisions of 11 U.S.C. § 362(c)(2)(B).

6. All pending hearings are canceled with the exception of any scheduled hearing on a Motion for Relief from Stay or on an Order to Show Cause over which the Court reserves jurisdiction.

Trustee Kelly Remick is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of entry of the order.

KR/nag

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